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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,903	08/09/2001	Rajko Milovanovic	TI-30847	6493
23494	7590	12/22/2004	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED P O BOX 655474, M/S 3999 DALLAS, TX 75265			ZHEN, LI B	
			ART UNIT	PAPER NUMBER
			2126	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,903

Applicant(s)

MILOVANOVIC, RAJKO

Examiner

Li B. Zhen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 – 5 are pending in the current application.

Response to Arguments

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by U.S.**

Patent No. 6,108,688 to Nielsen.

5. As to claim 1, Nielsen teaches an electronic communications system [e-mail system; col. 4, lines 13 – 32], a method for automated follow-up of a request [warning the sender that the message has not been opened by the specified deadline; col. 7, line 64 – col. 8, line 7] comprising the steps of:

generating a request [senders prepare messages, typically on a computer terminal or computer system, and, using an electronic mail program, address those messages to various recipients or groups of recipients; col. 2, lines 56 – 67] with a

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deadline at a sender [sender can choose to have the sender warned in case the recipient does not open the message by a date and time specified by the sender; col. 3, lines 13 – 26] and recording that request at the sender location [a database is maintained accessible by the sender's computer system or terminal...which database tracks the messages for which responses are desired; col. 3, lines 36 – 46] indicating deadline [second field 12 consists of the date and time by which the message must have been opened; col. 3, lines 49 – 52] and automatically setting up a follow-up reminder at the sender location [cause display on the sender's computer system of a message informing the sender that the message has not been opened; col. 4, lines 1 – 13] to determine if a request has been completed by the deadline [sender's terminal checks incoming messages to determine if subject matches occur, and uses that information as the basis of the generating warnings to the sender; col. 3, lines 55 – 60];

sending that request with a deadline message to receivers [Each recipient in the list includes a check box 43 next to it by which the sender of the message can determine whether a response from that recipient is necessary prior to the date and time set in field 30; col. 4, lines 52 – 65];

receiving the request and deadline at the receivers [sender's e-mail system operates to send a message to a recipient; col. 6, lines 8 – 17];

determining at the receivers when the request [display the e-mail message; col. 8, lines 38 – 57; examiner notes the request is performed when the recipient opens the e-mail from the sender] is done [If a header is present, however, then the program

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sends an acknowledgement message to the sender. The acknowledgement message is sent to the address given in the "replay to" header, if present; col. 8, lines 38 – 57]; and

sending notice to sender when request is completed [returns to the sender a message; col. 4, lines 32 – 52] and the done notice is recorded at the sender location [an entry in the sender's database only when a recipient returns to the sender a message which includes a copy of the header sent to the recipient; col. 4, lines 32 – 52].

6. Claims 1 – 3 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,760,753 to Ohgushi et al. [hereinafter Ohgushi].

7. As to claim 1, Ohgushi teaches an electronic communications system [Numeral 1 designates an E-mail communication apparatus, Fig. 1; col. 4, lines 10 – 18], a method for automated follow-up of a request [col. 2, lines 47 – 54] comprising the steps of:

generating a request [e-mail; col. 5, lines 18 – 36] with a deadline [reply date and time field; col. 5, lines 18 – 36] at a sender [-mail automatic transmitter means 107, Fig. 1; col. 4, lines 10 – 18] and recording that request at the sender location [an event to transmit the E-mail is stored in the event information storage device 220; col. 6, lines 66 – 67] indicating deadline [an input of the reply date limit, reply date and time and reply demand destination address; col. 7, lines 5 – 12] and automatically setting up a follow-up reminder at the sender location to determine if a request has been completed by the deadline [After the time when the event information 231 is stored in the event information storage device 220 (1101, 1102), the event information monitor device 105 recognizes the reply demand event of event type 3 and transfers the relevant event

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information (demanding a reply illustrated in FIG. 7(c)) to the E-mail automatic transmitter 107 (1103) via the event driver 106; col. 8, lines 13 – 33];

sending that request with a deadline message to receivers [When a mailing lists is used for the transmitting destinations, the transmitting destination information is generated for each transmitting destination address included in the mailing list; col. 7, lines 13 – 18];

receiving the request and deadline at the receivers [the E-mail to the transmission destination address; col. 2, lines 9 – 19];

determining at the receivers when the request is done [when the reply is sent, the process is transferred to the E-mail analyzer 103 through the E-mail automatic receiver; col. 7, lines 63 – 67 and col. 2, lines 18 – 25]; and

sending notice to sender when request is completed and the done notice is recorded at the sender location [original E-mail and the reply can be checked by verifying the "Subject:" field of the reply, as explained later, since generally the "Subject:" field of replies add the characters (for example, "Re:") indicating that the E-mail is a reply. When the process is completed, a flag indicating that the process is complete is turned ON for the event information to complete the process; col. 7, lines 52 – 63].

8. As to claim 2, Ohgushi teaches the sender determines if a done request is completed before the deadline and generates a message to receivers if it has not been completed by the deadline date [col. 8, lines 13 – 33].

9. As to claim 3, Ohgushi teaches the sender automatically sends a message to the receivers if the deadline date has not been met [col. 8, lines 13 – 34].

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohgushi in view of U.S. Patent No. 6,216,169 to Booman et al. [hereinafter Booman].**

12. As to claim 4, Ohgushi does not teach the sender also automatically sends a second deadline date with the message if a deadline has not been met and sets a second follow-up reminder.

However, Booman teaches the sender also automatically sends a second deadline date with the message if a deadline has not been met and sets a second follow-up reminder [col. 10, lines 43 – 54].

13. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of automatically sending a second deadline date with the message if a deadline has not been met and sets a second follow-up reminder as taught by Booman to the invention of Ohgushi because this extends the deadline and

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allows the receivers a second chance to perform the request if more than one receiver did not perform the request [col. 10, lines 46 – 47 of Booman].

14. As to claim 5, Ohgushi as modified teaches the sender determines if a done request is completed before the second deadline [col. 10, lines 43 – 54 of Booman] and generates a message to receivers if it has not been completed by the second deadline date [col. 8, lines 13 – 33 of Ohgushi].

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,175,859 to Mohler teaches sender-defined time for reporting on the status of a sent message or of the message's recipient.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2126

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